

**IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.**

**Present: Tmt. G. VIJAYA, B.A., M.L., PGDCFS,
PRINCIPAL DISTRICT & SESSIONS JUDGE, COIMBATORE**

Wednesday, this the 11th day of March, 2026

CRIMINAL MISCELLANEOUS PETITION No.918/2026

Tamilselvi (Age 51 years)
W/o. Kathiravan.

... Petitioner /Accused.

/vs/

State, Rep. by
through the Inspector of Police,
CSCID Coimbatore Police Station,
Crime No.55/2026.

**Offences:u/s.19(v) and 25(1) of the Fertilizer (Control) order 1985 r/w 7(1)(a)(ii)
of EC Act.**

Through the Public Prosecutor, Coimbatore.
(The Judicial Magistrate Court No.4, Coimbatore.)

... Respondent

This petition has been filed through **e-Filing** on behalf of the petitioner to release her on anticipatory bail u/s.482 of BNSS.

This petition is coming on this day for final hearing before this Court in the presence of **Tvl. J. Vanaja and J. Ravisamraj**, Advocates for the Petitioner/ Accused and **Thiru. V. Ravichandran, Public Prosecutor**, represented for State, upon perusing the petition submitted and upon hearing both side arguments, this Court pronounced the following:-

ORDER

Heard both side.

The petitioner is the accused in Crime No.55/2026 of CSCID Coimbatore Police Station, since she is apprehending arrest in the hands of the respondent police for the alleged u/s.19(v) and 25(1) of the Fertilizer (Control) order 1985 r/w 7(1)(a)(ii) of EC Act, she has filed this petition, seeking grant of Anticipatory bail.

2. The learned counsel for the petitioner has submitted that the petitioner is the owner of the land on which the business is being carried out, and she was included as a partner only in a nominal capacity. The petitioner holds only 5% share in the partnership firm and is merely a sleeping partner without any involvement in the

management of day-to-day affairs of the business. The entire operations and management of the business are handled by other partners, and the petitioner has no knowledge of the transactions or operational activities of the firm. In this case, A-1 to A-3 were enlarged on bail by the learned Judicial Magistrate No.4, Coimbatore on 05-03-2026. The petitioner had recently undergone a uterus removal surgery about two months ago, and she is still under medical care and requires rest and treatment. The petitioner is having permanent residence and she undertakes to cooperate with the investigation and prays for grant of anticipatory bail to her.

3. The learned Public Prosecutor has submitted that there are totally 10 accused in this case. **The petitioner is arrayed as A-7.** A-1 is the driver, A-2 is maintaining accounts and A-3 is the Supervisor who was engaged in the bank transaction in the accused company. A-4 and A-5 are father and son. A-6 and A-7 are husband and wife. A-8 and A-9 were agents involved in purchasing of fertilizers from Bangalore and Andhra Pradesh. A-10 was running a computer centre who was engaged in generating fabricated bill for transporting the fertilizers. A-5 to A-7 are the partners of the accused company. The defacto complainant is the Regional Agricultural Officer, Karamadai. Based on information received by her, she along with other officials went to the place of occurrence and found that subsidized fertilizer provided by the Central government to farmers was illegally kept in the warehouse of the accused company and that fertilizer was being illegally stored in the godown to be used as raw materials for the manufacturing of AdBlue cooling oil and gum by the accused company. In this case, 3,06,000 kgs of subsidized fertilizer have been seized. Further it came to know that A-4 to A-7 illegally purchased the said fertilizer with the help of A-8 and A-9 by generating fabricating bill for transportation of the same with full complete knowledge. In this case, A-1 to A-3 were granted bail by the learned Judicial Magistrate since they are workers only. As far as the petitioner is concerned, she is one of the partners in the accused company.

4. Heard. As per the prosecution case, subsidized fertilizer provided by the Central government to farmers was illegally kept in the warehouse of the accused company and that fertilizer was being illegally stored in the godown to be used as raw materials for the manufacturing of AdBlue cooling oil and gum by the accused company. It is the contention of the petitioner that, she as the landowner who allowed the business to use her property; added as a partner in a nominal capacity and she is only a Sleeping partner with only a 5% share and not involved in daily operations, management, or financial transactions and the petitioner has no

knowledge of the operational activities or the alleged misconduct of the firm and in this case, the other accused namely A-1 to A-3 were enlarged on bail by the learned Judicial Magistrate No.4, Coimbatore, on 05-03-2026 and the petitioner underwent a uterus removal surgery roughly two months ago and requires continued medical care and rest and she undertakes to cooperate with the investigation and will appear before the investigating officer whenever required and prays for grant of anticipatory bail to her. There is no previous case is attributed against the petitioner. The learned Public Prosecutor contends that, A-1 to A-3 who were the employees of the accused company were granted bail by the learned Judicial Magistrate due to their limited role, but as far as the petitioner is concerned, she is one of the partners in the accused company. Whereas, it is the contention of the petitioner that, she is a sleeping partner with only a 5% share, holding the position nominally and not involved in daily operations, management or financial transactions and she had no knowledge of the illegal storage or usage of subsidized fertilizer. After considering all the above said aspects, no bad antecedents reported against the petitioner, and considering the undertaking given by the petitioner to cooperate for the investigation, without going into the merits of the case, **this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:-**

(i) Anticipatory bail is granted to the petitioner.

(ii) The petitioner shall execute a bond for Rs.10,000/- in the event of her arrest or the petitioner shall surrender before the Judicial Magistrate No.4, Coimbatore and execute a bond of Rs.10,000/- within 15 days from the date of this order, failing which the anticipatory bail granted to the petitioner shall stand automatically cancelled.

(iii) The petitioner shall produce two sureties for likesum each to the value of Rs.10,000/- each to the satisfaction of the Judicial Magistrate No.4, Coimbatore within 15 days from the date of this order, failing which the anticipatory bail granted to the petitioner shall stand automatically cancelled.

(iv) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity.

(v) The petitioner is directed to sign before the respondent police, daily at 10.00 a.m. for a period of 15 days and thereafter as and when required for interrogation.

(vi) The petitioner shall not abscond either during investigation or trial.

(vii) The petitioner shall not tamper with evidence or witness either during investigation or trial.

(viii) On breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji /vs/ State of Kerala [(2005) AIR SCW 5560]**.

(ix) If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

This order is dictated to steno-typist, typed by her, corrected and pronounced by me on this 11th day of March, 2026.

PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.

CC to :

1. The Judicial Magistrate Court No.4, Coimbatore.
2. The Public Prosecutor, Coimbatore.
3. The Inspector of Police, CSCID Coimbatore Police Station,
4. Counsel for the Petitioner/ Accused.